

U.S. Department of Justice  
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

PLAINTIFF <u>Colleen M. HARDACK</u>	COURT CASE NUMBER <u>0510542 MLW</u>
DEFENDANT <u>Federal Bureau of Investigation</u>	TYPE OF PROCESS
<b>SERVE</b> ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>Federal Bureau of Investigation</u>
<b>AT</b>	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>600 Centre Plaza, Boston, MA</u>

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: <u>Colleen HARDACK</u> <u>113 River Pointe Way #600</u> <u>Lawrence, MA 01843</u>	Number of process to be served with this Form - 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	U.S. MARSHAL SERVICE BOSTON, MA 2005 MAR 23 P 1:46

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

3/29/05 SERVED AT: FBI  
ONE CENTRE PLAZA  
SUITE 600  
BOSTON, MA

Signature of Attorney or other Originator requesting service on behalf of: <u>Colleen M. Hardack, Pro Se</u>	PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>978-683-3755</u>	DATE <u>3-22-05</u>
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <u>1</u>	District of Origin No. <u>21</u>	District to Serve No. <u>38</u>	Signature of Authorized USMS Deputy or Clerk <u>Mary Salas</u>	Date <u>3/23/05</u>
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I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) <u>Frank Davis, Legal Division - F.B.I.</u>	<input checked="" type="checkbox"/> person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service <u>4/7/05</u> Time <u>10:00</u> <u>am</u>
	Signature of U.S. Marshal or Deputy <u>[Signature]</u>

Service Fee <u>45.00</u>	Total Mileage Charges (including endeavors) <u>—</u>	Forwarding Fee <u>—</u>	Total Charges <u>45.00</u>	Advance Deposits <u>—</u>	Amount owed to U.S. Marshal or <u>—</u>	Amount of Refund <u>—</u>
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REMARKS: 3/24/05 UNABLE TO EXECUTE AS ADDRESSED.  
3/29/05 CORRECT ADDRESS PROVIDED BY PLAINTIFF — SEE INSTRUCTIONS  
4/7/05 - Served

UNITED STATES DISTRICT COURT

District of MASSACHUSETTS

ATTACHMENT 4

COLLEEN MARIE HARDACKE

SUMMONS IN A CIVIL CASE

v.

FEDERAL BUREAU OF  
INVESTIGATION AND  
U.S. Department of  
Justice

CASE NUMBER:

05-10542 MLW

TO: (Name and address of Defendant)

FBI  
600 Centre Plaza  
Boston, MA

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

COLLEEN HARDACKE, Pro Se  
113 River Pointe Way #6009  
Laurence, MA 01843

answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

SARAH A THORNTON

3-22-05

DATE

K

DEPUTY CLERK

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
E OF SERVER (PRINT)	TITLE

*check one box below to indicate appropriate method of service*

- ☐ Served personally upon the third-party defendant. Place where served: \_\_\_\_\_
- ☐ Left copies hereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
 Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☐ Other (specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

VEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_ Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

# NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS

ATTACHMENT 7

TO: (A) \_\_\_\_\_

S (B) \_\_\_\_\_ of (C) \_\_\_\_\_

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the District of \_\_\_\_\_ and has been assigned docket number (E) \_\_\_\_\_.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) \_\_\_\_\_ days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Signature of Plaintiff's Attorney  
or Unrepresented Plaintiff

- Name of individual defendant (or name of officer or agent of corporate defendant)
- Title, or other relationship of individual to corporate defendant
- Name of corporate defendant, if any
- District
- Docket number of action
- Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

**WAIVER OF SERVICE OF SUMMONS****ATTACHMENT 8**TO: \_\_\_\_\_  
(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)I, \_\_\_\_\_, acknowledge receipt of your request  
(DEFENDANT NAME)that I waive service of summons in the action of \_\_\_\_\_,  
(CAPTION OF ACTION)which is case number \_\_\_\_\_ in the United States District Court  
(DOCKET NUMBER)

for the \_\_\_\_\_ District of \_\_\_\_\_.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after \_\_\_\_\_,  
(DATE REQUEST WAS SENT)  
or within 90 days after that date if the request was sent outside the United States.

\_\_\_\_\_  
(DATE)\_\_\_\_\_  
(SIGNATURE)

Printed/Typed Name: \_\_\_\_\_

As \_\_\_\_\_ of \_\_\_\_\_  
(TITLE) (CORPORATE DEFENDANT)**Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.